

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/089,171	BLUM ET AL.	
	Examiner Sanza L McClendon	Art Unit 1711	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 01/04/2004.
2.  The allowed claim(s) is/are 1,3-15,17-22 and 24-33.
3.  The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

## DETAILED ACTION

### *Response to Amendment*

1. In response to the Amendment received on January 6, 2004, the examiner has carefully considered the amendments. The examiner acknowledges the cancellation of claims 2, 16, and 23 and the addition of claims 29-33. The claim rejection under 35 U.S.C. § 112, 2nd paragraph for claims 1-2, 8, 12-14, 16 and 23 have been overcome by the amendment and has hereby been withdrawn for consideration.

### *Response to Arguments*

2. Applicant' s arguments, see Amendment, filed January 6, 2004, with respect to claims 1-33 have been fully considered and are persuasive. The rejection of claims 1, 3, 5-6, 9, 12-13, 17-18, 21-25, and 27-28 as being anticipated under 35 USC 102(b) by Morgan (US 4,017,371) has been withdrawn. Morgan fails to expressly teach and/or fairly suggest a solid polymer compound comprising two groups that are structurally different from one another bonded to the polymer structure via urethane linkages and wherein at least one group is a radiation activatable group that additionally comprises from 0.01 to 1 mol% of at least one stabilizer chemically bonded within said polymer.

### *Allowable Subject Matter*

3. Claims 1, 3-15, 17-22, and 24-33 are allowed.

4. The following is an examiner' s statement of reasons for allowance: The primary reasons for allowance is the " from 0.01 to 1 mol% of at least one chemically bonded stabilizer" , which is based on the double bond content of the solid polymer comprising two structurally different groups bonded via urethane linkages, wherein at least one group comprises at least one bond activated by actinic radiation. While the prior art teaches solid polymers having at least two groups that are structurally different from one another and at least one group has bonds activatable by actinic radiation, the prior art fails to expressly teach and/or fairly

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suggest that same solid polymer additionally comprising from 0.01 to 1 mol% of a chemically bonded stabilizer.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### EXAMINER' S AMENDMENT

5. An examiner' s amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In claim 1, line 7 **delete** the phrase " preparable by reacting the starting products in the melt" and **replace** with the phrase " obtained by reaction in the melt" .

#### *Conclusion*

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sanza L McClendon whose telephone number is (571) 272-1074. The examiner can normally be reached on Monday through Friday 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner' s supervisor, James Seidleck can be reached on (571) 272-1078. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sanza L McClendon

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SMc



**James J. Seidleck  
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